

10-16-03

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DOCKET NO.: DM-6919 CNT (BMS-2441)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Re Application of:

Poh K. Hui, John E. Bishop,
Eleodoro S. Madrigal, Jr.

Confirmation No.: Not yet assigned

Application No.: 10/667,931

Group Art Unit: Not yet assigned

Filing Date: September 22, 2003

Examiner: Not yet assigned

For: **PREPARATION OF A LIPID BLEND AND A PHOSPHOLIPID SUSPENSION
CONTAINING THE LIPID BLEND**

EXPRESS MAIL LABEL NO: EV 325641184 US
DATE OF DEPOSIT: October 15, 2003

EV325641184US

☐ MS Non-Fee ☐ MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY TRANSMITTAL LETTER

- ☒ A Preliminary Amendment.
- ☐ An Amendment Responsive to the Office Action Dated .
- ☐ An Amendment Supplemental to the Paper filed .
- ☐ A Substitute Specification (pages 1 -) in clean form.
- ☐ A substitute specification (pages 1 -) with markings.
- ☐ An Abstract is enclosed.
- ☐ replacement sheets of drawings are enclosed comprising figures .
- ☐ Request is hereby made to accept black and white photograph(s) in this case, as they are the only practicable medium for illustrating the claimed invention. One (1) set of black and white photographs comprising figure(s) is submitted herewith.
- ☐ Petition is hereby made to accept drawing(s)/photograph(s) in this case.

- ☐ Three (3) sets of color drawing(s)/photograph(s) and black and white photocopy that accurately depicts to the extent possible, the subject matter shown in the color drawing(s)/photograph(s), are enclosed, comprising figures
- ☐ An amendment to the first paragraph in that portion of the Brief Description of the Drawings is also enclosed herewith advising that the patent contains at least one drawing/photograph in color.
- ☐ A Certified Copy of each of the following applications: is enclosed.
- ☐ An Associate Power of Attorney is enclosed.
- ☐ Information Disclosure Statement.
 - ☐ Attached Form 1449.
 - ☐ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- ☐ A Terminal Disclaimer is attached.
- ☐ Appendices as follows:
- ☐ Other
- ☐ **No Additional Fee is Due.**
- ☐ Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as
- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the U.S. Patent and Trademark Office.

				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	77	44 (20 MINIMUM)	33	\$9 EACH	\$	\$18 EACH	\$594.00
INDEP. CLAIMS	2	3 (3 MINIMUM)	0	\$43 EACH	\$	\$86 EACH	\$0.00
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$145	\$	\$290	\$290.00
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$210	\$	\$420	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$475	\$	\$950	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$740	\$	\$1480	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$1005	\$	\$2010	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$)	minus	(\$)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:							
TOTAL FEE DUE					\$		\$884.00

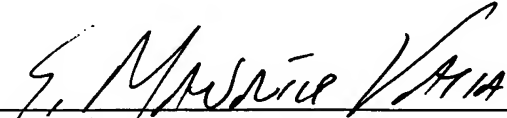
- ☒ A check in the amount of **\$884.00** is attached. Please charge any deficiency or credit any overpayment to Deposit Account 23-3050.
- ☐ Please charge Deposit Account No. 23-3050 in the amount of .00 . This sheet is attached in duplicate.
- ☐ Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4)) to extend the time for response to the Office Action of _____ to and through _____ comprising an extension of the shortened statutory period of _____ month(s).

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- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account 23-3050. This sheet is provided in duplicate.

Date: October 15, 2003



S. Maurice Valla
Registration No. 43,966

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439

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Application No.: 10/667,931
Office Action Dated: Preliminary Amendment

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PRELIMINARY AMENDMENT

Prior to examination, Applicants respectfully request that the application be amended, without prejudice, as follows:

- ☐ Amendments to the Specification begin on page of this paper.
- ☒ Amendments to the Claims are reflected in the listing of the claims which begins on page 2 of this paper.
- ☐ Amendments to the Drawings begin on page of this paper and include an attached replacement sheet.
- ☒ Remarks/Arguments begin on page 8 of this paper.

10/20/2003 WABDELRI 00000081 10667931

01 FC:1202
02 FC:1203

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290.00 OP